



FreeExpression

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A NEWSLETTER OF FREEDOM FORUM

Stress on FoE, Assembly

Engagement on UPR recommendations

Freedom Forum (FF) organized a program on UPR (Universal Periodic Review) report recommendation sharing in Kathmandu on February 7, 2021.

The program titled, 'Universal Periodic Review and Freedom of Expression in Nepal' brought together representatives from diverse sectors including media, national human rights institutions, government offices including ministry and CSOs.

FF Executive Chief Taranath Dahal welcomed the participants and highlighted the objective of program and said UPR is a global platform provided by UN Human Rights Council to the governments and CSOs to put forth human rights issues on periodic basis. In this regard, FF had submitted separate UPR reports on freedom of expression and information, and freedom of assembly. The reports provided overall environment as existing media laws and restrictive provisions, FoE and press freedom, journalists' rights and obstruction on reporting and access to information, harassment and intimidation on peaceful protesters, and freedom of assembly. The reports have made recommendations to the government to improve the atmosphere of press freedom and respect to journalists' rights and peaceful protest/assembly.

Similarly, a brief presentation was made on the reports, highlighting the major points. FF made the UPR report on FoE and Information jointly with Free Press Unlimited, and the UPR report on peaceful assembly jointly with CIVICUS.

The report was submitted to the working group of 37th session in 2020.



Following the presentation, senior official at National Human Rights Commission (NHRC), Deepak Jung Dhwoj Karki, said:

- Many countries made recommendation to Nepal government on press freedom, journalists' rights in 37th session.
- NHRC works in cooperation with civil society organizations.
- Three-tier of government should ensure free flow of information to citizens.

Director, at NHRC, Yagya Adhikari, said:

- UPR is an ongoing process not only event.
- Thematic discussion on UPR should be held at lower levels in the wake of federalism.
- Flow of hate speech growing lately is a severe concern in Nepal.
- Political conflict was likely to weaken freedom of association and expression.
- Freedom of expression was suppressed due to Covid-19
- Government needs to make 'action plan' on implementation of UPR recommendation

Information Officer at Ministry of Home Affairs, Prem Lal Lamichhane, said:

- Government is committed to protecting citizen's human rights.
- Such discussions will help government forward good initiatives.
- We will work on how government can incorporate human rights issues in its directives, acts, regulations.
- The Ministry will study the UPR recommendations thoroughly.

Senior Officer at INSEC, Samjha Shrestha, viewed:

- NGO coalition has also included FoE issues with special focus.
- As many as 233 recommendations Nepal got in the recent UPR session.
- There are around 13/14 recommendations to Nepal relating to FoE and association.
- Now, NGOs are monitoring whether government implements UPR recommendations.
- We also suggest government to make new action plan where CSOs could facilitate for its implementation.

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Message from Executive Chief

Ensure human rights on internet



The latest update of MIS report by Nepal Telecommunications Authority (NTA) has recorded 84.09 percent broadband internet service in Nepal. It is appreciative that the internet penetration is increasing gradually, thereby facilitating people to exercise their rights online- from free expression to business to education, and innovation to entrepreneurship. The promptness and convenience created by the internet has also eased well the public authorities to deliver public service smoothly. The internet is now regarded as the foundational infrastructure of democracy in recognition to its tremendous role on promotion of human rights. With this, people from diverse professions have joined the digital sphere. Almost half the population in the world is online, and it is in increasing trend with the expansion of infrastructures and digital literacy. Talking about Nepal, thousands of school children attended virtual class during the Covid-19 pandemic and a new trend of work from home thrived. It is all because of the facilitation of internet.

It is estimated that there are more than 10 million people using Facebook in Nepal while over 1 million use Twitter. People's online presence has intensified the discussion and discourse on the pressing issues including government, governance, law and policy, crime, safety and environment. It is indeed unprecedented opportunity for one to be able to use internet for holding the authority accountable. Irrespective of such several positive sides of internet, numerous unwanted activities are reported daily. As human presence on cyberspace/internet grew, the criminal activities emerged there as well. Incident of social aberration are reported. The breach of people's privacy and free speech on internet not only creates fear, but also invite other crimes. It is therefore time to make cyberspace/internet safe and secure so that people can freely exercise their rights online. Ensuring safety to internet users by curbing cyber crimes on the one hand and fostering human rights on internet on the other should be taken together and in a balanced manner. Any efforts at policy and law and in enforcement of law, should not breach human rights while curbing cyber crimes.

Generally, cybercrime is taken as the crime occurred on or via computer and internet. Broadly, it has been categorized into two types- cyber-dependent and cyber-enabled crimes. The cyber-enabled crimes are the traditional crimes which are amplified with the means of computer and internet e.g. online gambling, misuse of digital device, theft of computer data, harassment, cyber porn, and other frauds. Similarly, cyber-dependent crimes are new and unique crimes which are caused solely by computer and internet eg virus spread, malware, phishing, denial of services (DoS) etc. In Nepal too, the cyber bureau has registered various types of cybercrimes like hacking of Facebook ID, illegal access to computer system/server, indecent video post on social networking site, spread of child pornography. While looking into these both sides, one may evaluate internet both as blessing and curse. But equal focus is needed to discourage and prevent crime, and to foster human rights- freedom of expression, privacy and data protection.

There are various laws invoked to curb cybercrime including the Criminal Code and Electronic Transaction Act (ETA) in Nepal. The ETA, since its inception, has however been criticized for its section 47, which has been misused repeatedly to curb citizen's free speech on cyberspace, and journalists' right to free reporting. Freedom Forum had earlier recorded various cases of violation of freedom of expression exercised by common citizen and journalists. The citizens were brought from various parts of the country to make them appear before the court in Kathmandu. There is only one court- Kathmandu District Court- to look after the cybercrime in Nepal. It is bitter reality that journalists are arrested on cybercrime for their reporting. In this regard, FF has continued its advocacy for removing the regressive provisions in the current Information Technology Bill which is in parliament committee. If the IT Bill is passed as it is, it has broader adverse impact on free speech online and digital privacy. Time has come to mainstream human rights on cyberspace.

Now, as the issues around computer and internet are linked to multiple sectors- privacy, free speech, trade and business, security, education and learning, advocacy, its stakeholders are also multiples such as users (people), security agency, parliament, court, human rights institutions including CSOs, academia. Therefore, debate and discussion around these issues become meaningful and result-oriented when all stakeholders are meaningfully engaged on it. Lone efforts are inadequate to address the challenges and make most of the opportunities. In addition to law, we can dwell on other sectors as social awareness and curriculum revision to create literacy on internet/digital space. Importantly, working together is imperative to address these issues. 🌱

- Tara Nath Dahal

FF on int'l campaign to make Facebook, Google transparent

Freedom Forum has joined the international campaign, prodding the global tech giants Facebook and Google to be transparent regarding political advertising on their platforms. It has signed an open letter to the chiefs of these tech giants, reminding them of equal transparency standard.

The key ADVOCACY points are:

We believe it is necessary for both Google and Facebook to:

- Accelerate the expansion of full transparency tools to all countries where you operate to ensure that the least favoured countries benefit from the same level of transparency as the most favoured countries
- Develop, and make public, a plan of action setting out commitments and related timescales to roll out full transparency tools globally
- Disclose the full array of criteria, both past and present, used to select countries qualifying for higher transparency standards

FULL TEXT

28th January 2021

Dear Mr. Zuckerberg and Mr. Pichai,

In the past few years, you have pioneered important transparency tools to help your platform users understand, learn about and contextualise the political advertising they see. We agree that advertiser verification processes and ad repositories are key safeguards against online manipulation and misinformation. However, we are saddened to observe that these benefits have not been equally distributed among your global user base.

Each platform operates fluctuating and often widely differing transparency standards for different countries. While some users benefit from seeing political advertising in an ad repository, others do not. Where some users are offered detailed information about a political ad, others are not. There are no legitimate or otherwise publicly disclosed reasons justifying this difference in treatment.

The combined effect of these inconsistent policies is to create a two-tiered user base within each platform, with a wide regulatory gap separating the transparency haves and have-nots. We first highlighted these problems in 2019. While some progress has been made since, we are disappointed to conclude that the transparency divide persists.

Online transparency should not be a privilege of the few, but the right of all. To that end, the changes we believe are necessary are as follows:

- Accelerate the expansion of full transparency tools to all countries where you operate to ensure that the least favoured countries benefit from the same level of transparency as the most favoured countries
- Develop, and make public, a plan of action setting out commitments and related timescales to roll out full transparency tools globally
- Disclose the full array of criteria, both past and present, used to select countries qualifying for higher transparency standards

The above changes, which we believe to be fair and reasonable, are only a starting point to begin to correct the current platform-created inequality between users. By contrast, the benefits are conclusive: heightened transparency standards for millions of users worldwide, and increased legitimacy of online political advertising for the sake of fair and informed decision-making by voters.

We urge you to take responsibility as two of the most influential platforms in online political campaigning, and empower users and voters with heightened ads transparency. 🌱

Press Freedom Violations

Province 1

No incidents are recorded from Province 1.

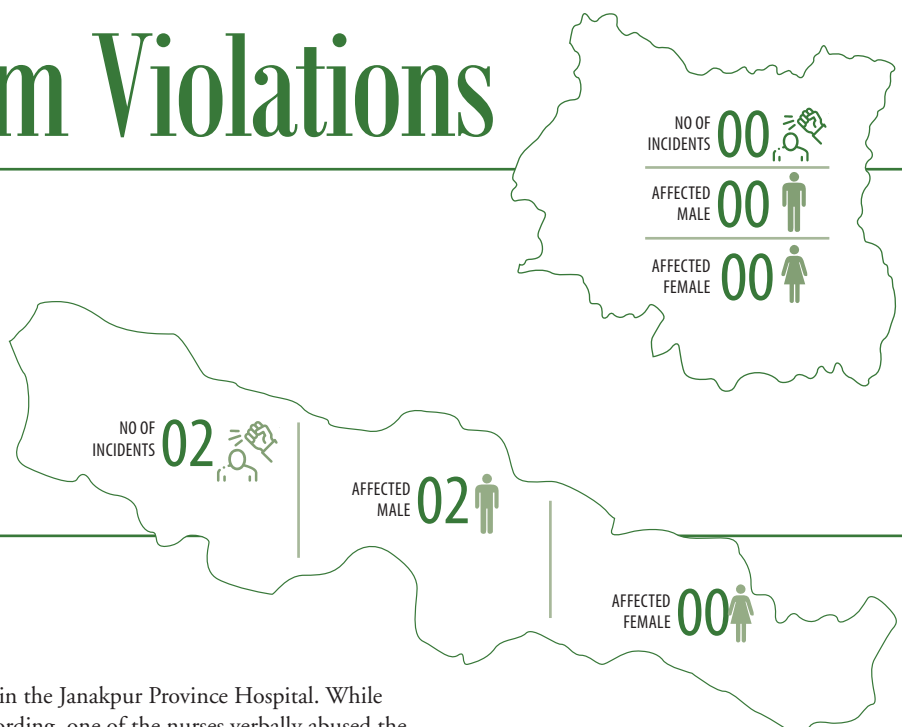
Province 2

Misbehavior

Reporter with an online news portal, baahra-khari.com, Suresh Yadav, was misbehaved while reporting in Dhanusha on January 4. Dhanusha lies in Province 2 of Nepal. According to Freedom Forum's representative Rajan Singh, reporter Yadav was taking a video of nurses' carelessness in patient's care and rude behavior

in the Janakpur Province Hospital. While recording, one of the nurses verbally abused the reporter saying, 'stop this recording, this is too much' and seized his mobile. She also deleted the recorded video, informed Singh. Thereafter,

reporter Yadav informed hospital security in-charge of the incident and received his mobile back with the help of the in-charge.



Mayor threatens anti-corruption reporter

Journalist with the National News Agency (RSS) Shankar Pahadi received threat while reporting in Sarlahi on January 10. Sarlahi lies in Province 2 of Nepal. Reporter Pahadi told Freedom Forum that Mayor of Haripur Municipality Jamaruddin Mansoor threatened him while reporting on status of

Primary Health Care center, the construction of which was pending for long. Mansoor warned Pahadi of thinking before entering the municipality premises or bear consequences. Earlier, journalists in the district had covered story about municipality office's accountant Bhupendra Kumar Singh being caught red-handed while taking bribe from service seeker.

Following this, Mayor Mansoor blamed journalists for defaming his place and threatened them to take care while entering his municipality premises. Targeting investigative and anti-corruption reporter clearly indicates that the people's representatives and government employees at local level are hostile to press freedom and journalists' right to free reporting.

Bagmati Province

Attack

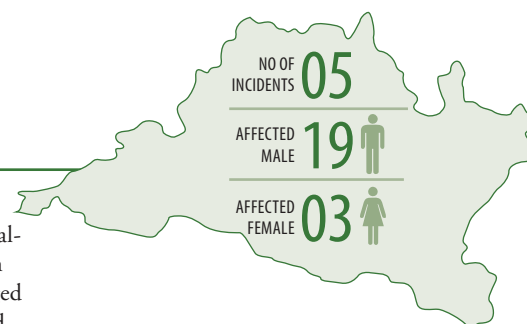
Two journalists were attacked on February 4, the day nationwide general shutdown was called by some political parties, while covering protests in the federal capital Kathmandu. Following the dissolution of the parliament, a faction of Nepal Communist Party has been protesting against the actions of Prime Minister KP Sharma Oli. With this, a general strike was called on February 4 across the country. The protestors attacked reporters Deewakar Sah of Mountain Television, and Keshav Raj Joshi of <https://shilapatra.com/> (a

internet-based news portal). Both media are run from Kathmandu. They attacked journalists, accusing them of being associated with the other faction. The attackers also damaged Joshi's camera. Both the reporters sustained injuries from the attack.

Arrest

Executive editor at <https://freepressnepal.com/> (an online news portal) Bikash Shrestha was arrested March 2 from Balaju, Kathmandu. Kathmandu is the federal capital of Nepal. Freedom Forum learned that Shrestha was

arrested for taking pictures of the arrested locals inside the police office. Nepal Police arrested few activists of road expansion victim struggle committee for protesting at the metropolitan's construction site. Talking to FF, an officer said that reporter Shrestha was arrested for taking pictures inside the station. He was released few hours later with the photos and videos deleted, he informed.



Obstruction

A group of sports journalists were misbehaved while reporting in Kathmandu on January 19. Kathmandu is the capital city of Nepal.

Talking to Freedom Forum, one of the journalists Subash Humagain, senior reporter at <https://www.hamrokhelkud.com/> said,

“We were interviewing a coach on his team’s victory on the day during the post-match press conference. On the fifth question to the coach, one of the members of Cricket Association of Nepal Ajay Bir Pandey stopped us and asked not to bother him with unnecessary questions.” To this, about half a dozen sports reporters said they had right to ask relevant questions to the concerned and requested Pan-

dey not to obstruct their reporting. But Pandey did not stop abusing journalists in front of the players. The conference was then, cancelled after the incident. The journalists were reporting on ongoing PM Cup National Cricket Tournament 2077. 🌱

Vandalism

An unknown group vandalized a community radio station in Dolakha on March 4. Dolakha lies in the Bagmati Province of Nepal.

The assailants broke Radio Bhimeshwar's antenna and tower worth approximately Rs 0.3 million.

Talking to Freedom Forum, station manager Rabindra Gautam said that he neither

recognized the attackers nor knew the reason behind attack. The radio service is, however, continued with the help of single 100-watt antenna, he said.

He further informed that police were apprised of the incident and the police began investigation.

The incident has directly affected 12 media persons including two females working in the radio.

“*An unknown group vandalized a community radio station in Dolakha on March 4. Dolakha lies in the Bagmati Province of Nepal.*”

Female journo misbehaved

Nepal Police misbehaved with a reporter to <https://www.khojsanchar.com/> (an online news portal) Pragya Thaiba in Kathmandu on February 24. Kathmandu is the federal capital of Nepal.

Photojournalist Thaiba shared that while she was reporting on conflict among locals

and police persons at the police station, one of the officers seized her camera with the order from Police Inspector.

The officer also warned her that she was not allowed to take pictures or videos on the office premises. Later, they deleted the pictures and returned the camera, she added.

Police had arrested the members of Valley Road Expansion Vitim Struggle Committee for protesting at the metropolitan construction site.

Gandaki Province

Threat

An unknown person calling himself a cadre of a then prohibited communist party in Nepal made a phone call at the office of Samadhan

national daily and threatened of bomb attack on February 4. The daily is published from Gandaki Province of Nepal.



Karnali Province

Arrest

Nepal Police briefly detained journalist Ramesh Rawal in Surkhet on February 23. Surkhet lies in Karnali Province of Nepal. Rawal is associated with Nayapatrika daily and <https://shilapatra.com/> (an online news portal).

Journalist Rawal said that he was taken under control for four hours while returning home from media house. "Even though I said I was returning home from work they shouted at me and grabbed my mobile, purse and identity card and kept me under control", he said.

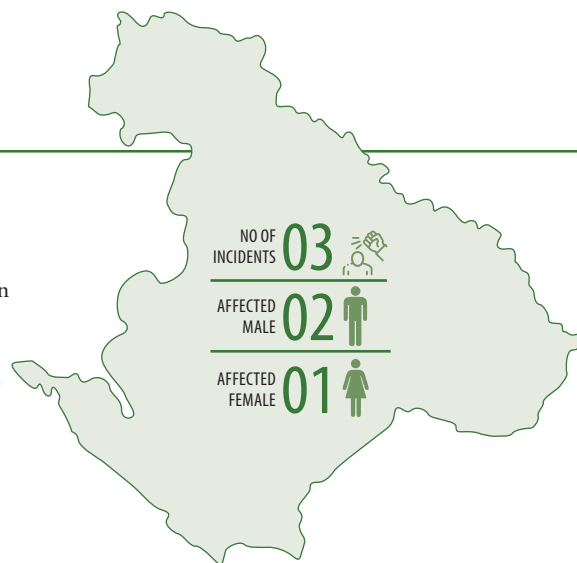
"When I asked for the reason of arrest, they asked me why I was walking late night and beat up me and forcefully pushed me into their van", he added, Later, he was released with the help of a fellow journalist and he got his purse and ID card back.

Attack

Reporter to www.nepalpress.com (an online news portal), Sher Bahadur Thapa, was manhandled while reporting in Dailekh on February 5. Dailekh lies in Karnali Province of Nepal.

Talking to Freedom Forum, Thapa said that he had been reporting on the irregularities at the Mahabu Rural Municipality and on the day of incident too, Thapa had reached the rural municipality office for reporting. Meanwhile, son of municipality's vice-chair Prem Kumari Budha, Dhruba Budha attacked reporter Thapa. Reporter said, "Though I do not know what the apparent reason, I

think he might have attacked me because of my news reporting." Moreover, police arrested Budha and released a day later after Budha apologized to the reporter Thapa for his misbehaviour. Freedom Forum appreciates Nepal police action in response to the attack upon journalist. 🌱



Mayor threatens female reporter

A municipality chief threatened www.thahakhabar.com's Jumla based reporter Dil Maya Shahi through telephone call on February 21. Jumla lies in Karnali Province of Nepal. Talking to Freedom Forum, Shahi shared that she had written news critical

to the Chandannath Municipality's Mayor Kantika Sejuwal. After the publication of news, Sejuwal called Shahi and threatened for writing the news.

"She spoke abusive words and also called me to her office in threatening voice", said Shahi, "Later,

I knew that Sejuwal along with her daughter were preparing to attack me at office."

Here the Mayor could resort to legal course of seeking action if she had any dissatisfaction with news content rather than threatening reporter. 🌱

Sudurpaschim Province

Obstruction

Reporters Hikmat Bam and Deepak Rawal were misbehaved while reporting in Darchula district on January 30. Darchula district lies in Sudurpaschim Province of Nepal. Reporter Rawal is associated with <http://onthespotnews.org/> (an online news portal) while reporter Bam affiliated to Yug Astra daily.

Talking to Freedom Forum, reporter Rawal shared that they were recording voice of Nepali

people at the Nepal-India border area following the government's order to ease restriction on cross border movement. Meanwhile, the Indian SSB officers seized their camera and said that they were not allowed to click pictures or take videos without their permission.

He wondered, "We were on Nepali land and recording video of Nepali people crossing the border. I could not understand why we should take their permission!"



The officers returned their camera half an hour after deleting the recorded video. Even the Nepali security officers did not help us, Rawal said.

Attack

Reporter with Radio Dhangadhi and <https://www.dhangadhikhabar.com/> (online news portal) Harish Joshi was attacked in Kanchanpur on January 3. Kanchanpur lies in Sudurpaschim Province of Nepal.

According to Freedom Forum's representative Min Bam, reporter Joshi was attacked while returning home after reporting at around 5:30 pm. A local Subash Bam verbally abused the reporter, "You, mean journalist wrote the news?" Then he attacked reporter.

It has been learnt that the assailant was repeatedly arrested before in cases of attack on various people, informed representative Bam.

Reporter Joshi has filed a complaint at the local police station.

Manhandle

Reporter with a local Kanchanpur daily Madan Giri was manhandled while covering the protest in Kanchanpur, Sudurpaschim Province. While Giri was reporting on the locals' response to the strike, the protestors including former ministers attacked him. 🌿

Arrest

Nepal Police arrested citizens for protesting peacefully at a program in Dhangadhi on January 8. Dhangadhi lies in the Sudurpaschim Province of Nepal.

Local youths Binod Khadka, Aarud Sah, Sagar Joshi, Rajendra Shahi, Pravin Khadka, Suresh Joshi, and Naresh Prasad Joshi were arrested for wearing t-shirt with slogans- Where is the rapist of Nirmala Panta?

Nirmala Panta, a 13-year old girl was raped and murdered in Kanchanpur in 2018. The locals claim the 'accused is still roaming scot-free'. The investigation authority

had earlier stated that the perpetrator would be arrested soon but no action has been taken yet.

FoE Watch

The youths had worn t-shirts to create pressure on government to arrest and punish the rapist and murderer of Nirmala Panta. The program was being addressed by the Prime Minister.

Other attendees in the program also shared that they were not even allowed to wear black mask.

Youths were detained for four hours and released later, informed chief of District Police Office, Kailali. 🌿

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"Nepal Police arrested citizens for protesting peacefully at a program in Dhangadhi on January 8. Dhangadhi lies in the Sudurpaschim Province of Nepal."

Noted journalist Sharma passes away

Freedom Forum was saddened over the death of a noted journalist Sushil Sharma on March 12.

Journalist Sharma was well known for his professional ethics and committed to democratic values. He was also a very good analyst and news commentator.

The late journalist had worked in various mainstream media and later associated with

BBC Nepali news as Kathmandu Bureau Chief.

Obituary

Journalist Sharma died in course of treatment at a hospital in Kathmandu. He was suffering from pancreatic cancer.

He is lived by wife and a son. FF pays tribute to the departed soul and expresses heartfelt condolences to the bereaved family.

In the recent time, Sharma contributed to spurring debate: 'Why Nepal failed on development?' 🌿



late journalist Sharma

Jhankri's arrest escalates govt crackdown on free speech

Noted woman leader of Nepal Communist Party (NCP) Ram Kumari Jhankri was arrested from her residence in federal capital Kathmandu on February 11.

According to the police source, a team of police from Metropolitan Crime Division reached Jhankri's residence along with an arrest warrant, mentioning Section 58 of Criminal Code. The police source added that leader Jhankri was held in allegation of 'crime against state.'

Leader Jhankri who belongs to the dissenting faction of ruling NCP had been speaking vocally against dissolution of the House of Representatives since December 20, 2020. The influential youth leader had delivered a speech mentioning the President at an event in Gorkha district a week back, to which, the government was said to have become irate.

Section 58 of Criminal Code has the provision that the President and parliament cannot be threatened, and barred from works.

The arrest has come as a series of this government's crackdown on freedom of expression in Nepal. It has suppressed citizen's right to free speech.

To this, Executive Chief at FF, Taranath Dahal, commented, "Government has been increasingly being intolerant crushing citizen's right to speak, and make criticism on government activities and public persons. The arrest has not only panicked citizens but also alarmed society over deteriorating freedoms in Nepal. The arrest of leader Jhankri based on unrelated legal provision clearly depicts that government wants to silence dissenting voice. Her speech neither threatens the President nor parliament. It has further signaled more horrible days denting democratic system in Nepal."

If there was any disrespect on Head of the State in Jhankri's speech, the government could invoke separate law instead of arresting



Leader Jhankri

youth leader mentioning Section 58 of the Criminal Code.

FF vehemently condemned the arrest and urged the security to release leader Jhankri unconditionally and respect citizen's right to free speech. She was released after few hours of detention. 🌱

Govt plan of social media directive likely to curb FoE online



Freedom Forum was alarmed over the announcement of the Ministry of Communications and Information Technology that the government was planning to bring a directive on social media/ social networking sites.

The Department of Information and Broadcasting under the Ministry was learnt to have prepared the draft of the directive as per which the social media companies operating in Nepal needs to be registered within three months.

The Ministry on Tuesday (?) informed that the directive was being brought to control the

inciting speech and statements on social media sites including Facebook and YouTube. It further argued that such expressions were against top institutions and high profile persons.

Earlier too, the Ministry had made such ill-attempt to suppress healthy criticism by controlling the speech online, which, however, was frustrated after severe criticism from civil society and media fraternity. Time and again, this government has tried to suppress press freedom and freedom of expression with regressive bills.

At a time the Electronic Transaction Act has already taken a toll on citizen's rights to free

speech online, the additional directive would further discourage healthy criticism of the government, harass common people and journalists.

Of late, the social media platforms such as Facebook and Twitter have been an effective medium for the people in Nepal to exercise freedom of expression and information and hold government accountable, the directive will silence public voice and dissent, which are normal in democratic system.

Moreover, there are separate legal provisions to deal with defamation and public offense

through social media. But such actions in the name of controlling defamation online, which the Ministry claims, is the blatant attempt to violate citizen's free speech.

Instead of basing any act for the directive, the government's plan to bring the directive yet again to regulate social media in the name of

curbing 'inciting speech' obviously suppresses criticism online. There is neither parliament nor any discussion with stakeholders to make digital space safe and FoE friendly, rather a sheer attempt to control digital public spaces where a huge number of people exercise their rights including FoE and information. So, the latest step is one among a series of attacks this

government made against free speech and civic space online. The government must respect citizens' FoE online. If the directive comes as reported in the media, it is condemnable, observes FF.

Also, FF urges all concerned sides to express solidarity against this ill-attempt. 🌱

Police arrest another murder convict of journalist Dekendra Thapa

Nepal Police arrested yet another murder convict of journalist Dekendra Thapa from Dailekh on February 6. Dailekh district lies in Karnali Province of Nepal.

Dailekh district court had delivered a verdict on December 7, 2014 to arrest nine perpetrators involved in the murder of journalist Thapa, among which, five were arrested.

Among those arrested, two- Hari Lal Pun and Jay Bahadur Shahi-had fled before completing jail term, according to the police sources*. Recently in December 2020, Pun was arrested from his residence. Again on February 6, Shahi was arrested from Mahabu Rural Municipality of Dailekh.

Shahi has been sent to the district jail for serving his remaining jail term of five months. It has already been 16 years since Thapa was murdered but three murder convicts have been still absconding.

Impunity Watch

Freedom Forum welcomes the police initiative to nab the absconded one in murder of journalist Thapa. FF believes though late, it helps reduce long pending impunity relating to crimes against journalists and ensure justice to the families of the murdered journalists. Together more attention is required to solve the pending cases relating to journalists. 🌱

“.....
Freedom Forum welcomes the police initiative to nab the absconded one in murder of journalist Thapa. FF believes though late, it helps reduce long pending impunity relating to crimes against journalists and ensure justice to the families of the murdered journalists.”
.....”

FF condemns military coup in Myanmar

Freedom Forum condemns the military coup in Myanmar on February 1, 2021.

The coup is a blatant attack on democratically elected government. The detention of leader Aung San Suu Kyi, President Win Myint and several other leaders of National League for Democracy (NLD) has followed the coup.

The civilian rule since 2011 has again been trampled by the military which ruled the country since 1962 to 2011.

It is learnt that many civilian leaders have gone into hiding following rampant raid. The people are deprived of information with shutdown of national and international media following the take-over. It is undoubted that the people there are now deprived of freedom of expression and information, and press freedom.

“After long, Myanmar had got a civilian rule, which is attacked with coup on February 1.

Democracy Watch

It is huge threat to democracy there. The fundamental rights including freedom of expression and media freedom should be restored to Myanmar people soon,” said Executive Chief Taranath Dahal.

FF is saddened over the suffering of free media and civil society which had gained pace in the transitional democracy. FF expresses solidarity to Myanmar media fraternity and civil society on their protest of coup, and struggle for restoration of democracy. 🌱

RTI Nepal App now available in IOS system

RTI Nepal app developed to facilitate citizens to use their fundamental right to information has been upgraded for IOS system on March 2021. The application has been found to be very useful and handy among journalists and RTI activists. Following demand from public, FF upgraded the app for IOS system. In this technological era, mobile phones have been useful source of information for the people in Nepal too. But, majority of the population are still unaware about their fundamental rights. So, the RTI Nepal App is expected to fill the gap.

Needless to say, right to information, among others is the important right enshrined in the constitution which makes people aware and informed about the issues of public concern. It is also a powerful tool to question the system seeking transparency and accountability. With this in background, the application was developed three years ago which features introduction and objective of RTI, its legal definitions, provisions guiding RTI in the constitution, basic method of filing RTI application at public offices and digital format of applications.

In addition to those, separate section with recent news, articles and podcasts on RTI are also available along with discussion section in which one can ask his/ her queries regarding RTI or share one's experience which may be learning for others.

During this quarter (January to March 2021), total thirteen news stories, an article, a podcast on right to information were uploaded in the application. 🌱

In Brief

A. Open Budget Survey – COVID Module

Covid -19 pandemic has engulfed the world, thereby affecting almost all usual activities. Lockdown and shutdown of activities have been the effective measures so far to contain the fatal coronavirus. With this in the mind, the activities conducted on various sector have been tweaked to adapt in the adverse situation. Changes in usual works are normal. In this connection, the Covid Module is an addition to regular OBS Survey and it's a first of its kind. This survey focuses on government relief packages in fiscal policy and not necessarily in monetary one. This survey was conducted to identify the types of fiscal relief packages countries provided, how it was executed by government and what were its procedure for execution and how documents and information were available to public.

Along with this, OBS 2021 survey is ongoing and research work on the same underway. FF has been engaging with International Budget Partnership (IBP) since 2007/08 as country researcher for conducting open budget survey.

B. Audit Accountability Initiative – CPA Participation for FY 2077/78

With the Office of Auditor General (OAG) to promote citizens participation in audit, Mr. Pramod Bhattarai and Mrs. Nanu Khadka of FF participated in this years'

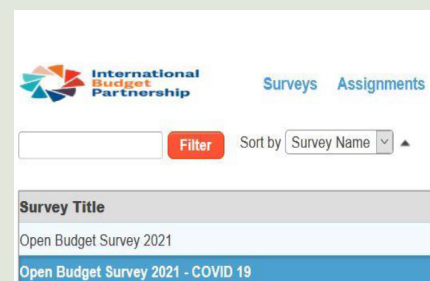
CPA with OAG for Gokarneshwor Municipality in Kathmandu. The CPA is carried out focusing the public issues and public works of roads and sanitation. A pre-meeting was held with municipality followed by one day training and orientation by OAG in its office, Babarmahal, Kathmandu on March 01, 2021.

CPA's concept, its practice around the world, its procedure, limitations and challenges, OAG course of action, CPA's participation role and duty all were discussed in the training along with teaching participants on how to do research on the subject.

C. Inception Report Sharing

A well implementable citizen engagement strategy in public finance is very much a need and best suited for country like Nepal, said Gorakh Bahadur Sahi, PEFA Secretary. Speaking in a meeting, he stressed the fact that the strategy should fit for the execution in our country rather than implementing mere recommendation from outside.

Organized at PEFA secretariat, Anamnagar on March 16, the meeting was a part of report sharing meet for ongoing engagement between FF and PEFA for developing public engagement strategy for all three levels of the government. PFM expert Krishna Sapkota from the project made clear various aspects of ongoing work along with upcoming actions and other aspects on developing engagement strategy via presentation on the meeting.



A detailed discussion among participants took place where Team Leader Taranath Dahal and PFM expert Krishna Sapkota answered the queries raised on the actions completed till date, the course of action, challenges and restriction, and the final output. On closing remarks, Mr. Gorakh Bahadur Sahi directed FF for developing strategy that should be flexible to execute at each level along with development of step by step plans for the execution of the same. He also assured FF of PEFA assistance at each step in need.

The inception report sharing meeting was held on March 16, 2021 in presence of PEFA Secretary Members and FF (Consultants) in Anamnagar, Kathmandu. A total of 18 members including one female undersecretary and three personals from Freedom Forum were present in the meeting. 🌱

Suppression of peaceful protest

The security persons used excessive force on the peaceful protest at Baluwatar, Kathmandu on January 25, which led to injury to some participants in the peaceful protest.

It is a sheer violation of citizen's right to peaceful protest and assembly enshrined in the constitution. The freedoms of peaceful protest and peaceful assembly are linked to citizen's freedom of expression. Such disproportionate use of force

to suppress protest/assembly mocks at constitutional guarantee and shrinks civic space.

The disproportionate use of force by the security persons on peaceful protesters shows the government is for control and suppression, rather than respect to citizen's rights. Where citizens' rights are respected, the law is abided by. In a democratic system, the citizens have the right to exercise freedoms in an unobstructed manner, FF observes.

Since the dissolution of the House of Representatives (HoR) by the President upon the recommendation of the Prime Minister on December 20, various sections including political parties and civil society organizations and leaders have been protesting the move calling it 'undemocratic' and 'unconstitutional'.

Following extensive protests and backlash, the Supreme Court delivered a verdict to reinstate HoR on February 23, 2020. 🌱

Int'l Women's Day marked online

#KnowYourData on #WomenInMedia

"If we don't talk to women, half the world won't be heard." Women are 50% of the population, 24% of the news. That's not fair."

These are the shout outs launched during the worldwide campaign held on the occasion of International Women's Day on March 8, 2021. This year too, FF in collaboration with Free Press Unlimited celebrated the day from March 1 to 15 online.

This year's campaign with the name #Media4Women (M4W) was focused on advocacy to increase women's participation in the media. The movement aimed at highlighting the importance of gender equality in and through the media.

In the previous years too, FF took part in the campaign to establish a more inclusive and equal presence of women in the media. But this year, the campaign was based on FF's finding of media monitoring conducted for four years (2016-2020).

During these years, FF had monitored contents of various Nepali media outlets at national and province level for gender representation as news reporters and news sources. Data revealed through monitoring

reflected underrepresentation of women against men in media both as reporters and sources which was one of the important components calling for the attention of media houses during this campaign.

Hence, this year's data based campaign called on media persons as well as media houses to monitor their own contents, know their data and step forward to create inclusive newsrooms and contents.

With the themes, #ChooseToChallenge and #KnowYourData FF also called upon Nepali media to take initiative for fair portrayal of gender in and through the media.

The campaign organized by Free Press Unlimited all over the world was online in the wake of COVID-19 pandemic.



FF shared the monitoring reports, data, excerpts of advocacy dialogue, podcasts etc. through the social media platforms (Facebook, Twitter).

Moreover, with the toolkits provided by FPU, the online campaign was successful to reach to the concerned stakeholders. 🌱

Continued from Page 1

Program Manager at Forum-Asia, Debendra Prasad Adhikari, viewed:

- As compared to other countries in South Asia in terms of human rights, Nepal is ahead but there are many areas to improve.
- Government should properly listen to recommendation made by CSOs.

Human Rights defender and columnist Namrata Sharma said:

- How long to wait for implementation of laws in Nepal?
- Time has come to bolster CSOs activities and ensure its active presence.
- Unity essential to tackle present human rights challenges.

Director at Media Action Nepal, Laxman Datt Pant, viewed:

- Government needs to be communicative to international community; improve its communication to international organizations like UN, UNESCO
- Voices on media policy reform should be uniform from all sectors.

Administrative Officer at Press Council Nepal, Jhabindra Bhusal, said:

- Freedom of press and responsible journalism should be taken together.
- Let's share best practices as well to international community.
- Activities that discredit media via technology should be curbed.
- Those working against journalistic norm should be punished.
- Government needs to flow reliable information.
- Politically tumultuous situation also influenced media issues and journalists' works at current situation in Nepal.
- Adherence to code of ethics could also help reduce the violations against journalists

Secretary at Federation of Nepali Journalists (FNJ), Shital Mahato, opined:

- Although constitution has mentioned 'full freedom to press', the acts and directive came against it, why?
- FNJ has been tirelessly working for press freedom and journalists rights.
- Journalists must not be jailed/ harassed/ intimidated merely for writing news.

Director at Department of Information and Broadcasting, Suman Bajracharya, shared:

- Journalists' must be paid minimum wage as fixed by the committee.
- After the implementation of minimum wage no of journalists receiving press card



has however decreased sharply. This means most of the media houses have cut off payment to the journalists as directed by the act.

Advocate Tanka Aryal argues:

- Freedom of assembly, association and expression could be taken together and viewed via holistic approach.
- The government needs to make UPR consultation process really comprehensive, broader, effective and inclusive.
- Understanding digital form of assembly, association and expression is equally important.

Vice-Chairman of Press Union, Ramesh Paudel, observed:

- One should understand that press freedom is not just for journalists, it is common right of all citizens.
- Political speeches nowadays seem to undermine free speech.

Executive President of Media Advocacy Group, Anita Bindu, said:

- Role of CSO was significant while bringing constitution in 2015.
- Unity among CSOs is imperative to restore FoE, assembly and association.
- Self-censorship is growing among journalists.
- Government must ensure timely and reliable flow of information.

Chairperson at Online Media Association, Shiva Satyal, argued:

- Why online directive came under Good Governance Act?
- FoE on internet should be secure.
- There is sheer risk of wrong laws when there is the government elected with majority in Nepal.

Advocate Ram Maya Lamichhane said:

- CSOs have a significant role to make government responsible.

- Media should also show united presence.

Journalist and editor Rajan Kuikel viewed:

- Unethical political inclination of media persons jeopardizes media freedom and free press.
- Nowadays politically polarized news are published which has adversely affected journalism

Senior advocate Dr Dinesh Tripathi said:

- FF has done good works by bringing meticulous and relevant reports on FoE and information, and assembly. These reports have finely captured Nepal's hpresent context, so can be used as good resources.
- Free speech is mother of all liberties.
- Amartya Sen has also advocated for freedom (free speech) for development.
- Free speech is an opportunity to express critical voices.
- Remedy must not be worse than disease.
- Manipulated flow of information by the government is dangerous at present. Access to information blocked. Its' serious threat.
- Such advocacy needs to be continued to make government responsible.

Facilitating the event, Chief Executive Dahal welcomed Home Ministry's commitment to protect human rights. "Such event will not only help government be resourceful to make action plan but also creates platform for togetherness to improve atmosphere for FoE and information and assembly. The views come from diverse sectors further bolster stand on pertinent issues of free press which is at risk in the country," Dahal observed.

There were 27 participants who were distributed both printed UPR reports at the program. FF had also invited the officials from Prime Minister's Office (Human Rights and Law Division), Information Ministry, Nepal Police (Human Rights Cell) but they failed to show up at the event. Both reports have been published in FF website. 🌱

Self disclosure update

Type and Nature of Organization	NGO working for Democracy, Right to Information, Freedom of Expression, Fiscal Transparency and Open Data, Media Policy and Law, Internet Freedom		
Legal Status	Registered at District Administration Office Kathmandu. DAO Registration Number: 127/062/63, SWC Affiliation Number: 18518		
Location	Adarsa Marga, Prasuti Griha Road, Thapathali, Kathmandu		
Staffs and Roles	Taranath Dahal: Executive Chief, coordinates overall organizational and administrative affairs		
	Aruna Adhikari: Finance and Administration Officer, looks after accounting and administrative affairs and performs responsibilities as the Information Officer.		
	Nanu Maiya Khadka: Gender Monitoring Officer, responsible for monitoring media content on gender perspectives		
	Aditya Dahal: RTI App and website operator		
	Manju Ojha: Front Desk Assistant, Ganga Kumari Gurung: Office Assistant		
Projects	Krishna Sapkota- SUSASAN (CONSULTANT), Narayan Ghimire- MAINSTREAMING HUMAN RIGHTS IN CYBERSECURITY AND CYBERCRIME POLICY (CONSULTANT), Pramod Bhattarai- SUSASAN, Subash Dahal - DAA		
Project Information	Project Name	Supporting Agency	Contract Signing
	Contributing to create atmosphere for Free Expression and reduction of impunity on crimes against journalists	IFEX	October 27, 2020
	Review of Statistics Bill	The Asia Foundation (TAF)	November 4, 2020
	Sustainable use of Technology for Public Sector Accountability in Nepal (SUSASAN)	CECI	17th April 2017
	Driving Audit Accountability : Audit Reports for Collective Action to Strengthen Government Responsiveness (DAA)	IBP	30th September 2019
	Mainstreaming Human Rights in Cybersecurity and Cybercrime Policy	Global Partners Digital	15th March 2021
	Consultancy service for Development of Citizen Engagement Strategy in Nepalese Public Finance Management	PEFA	28th December 2020
Services and Activities	Research, capacity development and policy advocacy including media monitoring, trainings on RTI and journalism, meetings, workshops, seminars and other campaigns to promote issues of democracy, RTI, FoE, fiscal transparency, human rights, local governance. It also provides legal aid to journalists, media and information seekers.		
Responsible Authority	Chairperson: Hari Binod Adhikari, Executive Chief: Tara Nath Dahal		
Decision Making Process	General Assembly: Making policies, rules and regulations of organization Executive committee: Formulation of action plans as per constitution of organization, rules and regulation Management team: Running projects and daily operational affairs and reporting timely to the Executive Committee.		
Past/Current Activities	Please follow the link: http://freedomforum.org.np/content/category/activities/		
Information Officer	Aruna Adhikari		
Financial Information	Freedom Forum received grants amounting RS. 2,541,120 (January to March 2021)		
Official Website	www.freedomforum.org.np		
Publications of Freedom Forum	Freedom Forum has over 50 Publications (printed) Please Follow the Link: http://freedomforum.org.np/content/publications/		
Annual Report	http://freedomforum.org.np/content/publications/reports/annual-reports/		
Information Dissemination	Websites- http://www.freedomforum.org.np/ ; www.nepalpressfreedom.org , and Newsletter-Free Expression		

Orientation on Cybersecurity

The UK-based organization, Global Partners Digital, provided orientation to Freedom Forum on several issues under the themes of cybersecurity, cybercrime and human rights. The definitions of cybersecurity and cybercrime, laws, policies

and strategies various countries formulated on these issues, international best practices as OECD Privacy Guideline, EU Convention 108 were highlighted during the orientation held on January 18, 19 and 26. Similarly, under the cybernorms, GGE reports (state-focused),

GCSC report (multistakeholder), Paris Call (multistakeholder), Microsoft Tech Accord (industry), MANRS (technical) were explained. The event was attended by FF employees including Chief Executive Taranath Dahal and Project Coordinator Narayan Ghimire. 🌱

Journalists are not the enemy... and the virus of censorship continues to spread

A free expression round up produced by IFEX's Regional Editor Paula Martins, based on IFEX member reports and news from the region.

Journalists are not the enemy

On 8 February 2021, IFEX's Colombian member Fundación para la Libertad de Prensa (FLIP) released its 2020 annual report.

The report highlights espionage operations targeting journalists, the abusive use of force by police against the press during public demonstrations, and the dismissive and stigmatizing behaviour of higher-level officials against the media. According to FLIP, all the cases point to a clear message: the press is seen as the opposition, and there is no tolerance for critical thinking.

With respect to journalist safety, in the last four years eight journalists have been murdered in the country, and 618 threats have been reported. That makes Colombia the second deadliest country on the continent, just after Mexico. During the year of the pandemic, 193 journalists were threatened, 10% more than in 2019. Two journalists were killed: Abelardo Liz and Felipe Guevara. It also draws attention to twenty cases of attacks against female reporters in 2020 in which there was an element of gender violence. The assaults ranged from online harassment and threats to sexual violence.

FLIP highlights that these threats and murders occurred while billions of Colombian pesos were invested in a protection mechanism that unfortunately has lost its effectiveness and legitimacy, pending a promised 'restructuring plan'.

The report also includes a chronology of scandals concerning the profiling of journalists by the armed forces. FLIP decries the lack of transparency around the disciplinary cases opened against the 13 military officials involved in the surveillance scheme, and the absence of information about a promised public hearing. (To learn more about this case, see my 2020 feature "Unnecessary, disproportionate and widespread: The normalization of surveillance in Colombia and Latin America.")

And last but not least, the report highlights the difficult economic situation of media outlets in Colombia – a situation that became critical after the pandemic. FLIP notes that in early 2021 the government began signalling that aid measures targeting the sector were forthcoming – and that at this point, the survival of many outlets depends on such measures.

A hearing, finally

The Inter American Court of Human Rights has scheduled a hearing in the case of Colombian journalist Jineth Bedoya for 15 March 2021. The case has been followed by FLIP for years, and IFEX will be presenting an amicus curiae to support the discussions concerning both the issue of impunity and gender-based violence against women journalists. FLIP and Jineth have released a video describing her 20-year struggle for justice.



On 15 March, #NoEsHoraDeCallar – It's Not the Time to be Silent! Follow the hearing and related activities via @FLIP_org.

And justice for Berta!

Five years after the assassination of renowned Honduran rights defender Berta Cáceres, the trial of the accused mastermind behind her murder has been scheduled for June 2021.

Berta was killed in 2016. She had spent years trying to protect her community's land in western Honduras from the construction of a dam that threatened a vital and sacred water source for the indigenous Lenca people. In 2018, seven men were convicted for the killing. The court, however, considered that executives from the Agua Zarca company, Desa, were behind the crime, motivated by the losses they were suffering due to delays resulting from the community's protests and complaints. Desa's president – David Roberto Castillo Mejía – was arrested and indicted that same year, when he was about to fly to Houston. Now, he will face trial. 🌱

(Source: <https://ifex.org/journalists-are-not-the-enemy-and-the-virus-of-censorship-continues-to-spread/>)



Freedom Forum is an independent, non-governmental and not-for-profit civil society organization working for the cause of social accountability, democracy and human rights focused on press freedom, freedom of expression and right to information in Nepal. Incepted in 2005, Freedom Forum has emerged as a prominent national organization in promoting access to information and freedom of expression through dialogue, research, training, public advocacy and campaign and programme implementation. Currently, the organization is working on the issues of public finance management, budget transparency, open data and aid governance, political and parliamentary accountability, freedom of expression online and open government partnership (OGP) based on its on-hand experience and learning.

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